Established 1853. Sole Agents Butterick Patterns.

Davenports Reduced

10 Davenports that must be closed ; out before invoicing time. If price will do it-these specials should go in a hurry -no better furniture values to be had. A mention of five of them.

\$125 solid mahogany Davenport, beautifully inlaid and covered in silk, with pillow, to close, \$100 Davenport of solid mahogany, finely inlaid, covered in figured velour, to close, at \$75 solid mahogany colonial Davenport, covered with very high-grade velour; special, to close ... ered in silk velour; special at.... \$35 \$50 mahogany Davenport, with handcarved cupids on front;

Pettis Dry Goods Co.

- FOR -

Hot Day Meals

Order some of our Fine Canned Meats -- Clean, wholesome and of fresh meats.

Veal Loaf, 1/2 lb., 15c; 1 lb........... 25c Chicken Loaf, 1/2 lb., 20c; 1 lb......35c Chicken, Ham and Veal Pate, 20c and35c

English Luncheon Sausage ... 10c per can Hamburger Loaf-fine for sandwiches-15c and 25c

... THE ...

HIOURL CO.

162 & 164 North Illinois St.

Fancy Groceries and Meats.

Old Phones-892, 810, black 621. New Phone-892

If you are an admirer of

call and see my collection of Ruby, Daimond. Emerald, Sapphire, Pearl, and Opal Rings. We take pleasure in showing you the finest collection in the city.

15 N. Illinois Street. The Bates House is across the street from me.

AMUSEMENTS.

Notes of the Stage.

Charles Frohman has engaged Sidney Brough, an English actor, to be Maude Adams's leading man in J. M. Barrie's new play next season.

business is so prosperous that nearly all the time at the New York theaters for next season is engaged.

It would seem that England is to have a theatrical syndicate, too. One firm, Greet & Engelbach, now hold leases on the Lyric, the Savoy theaters, of London.

Oscar Hammerstein, the tireless theater builder, of New York, says that one of the Russell brothers is a "second Coquelin." He has bought a new play in which he will star the brothers next season. About the only thing they ever have done is the Irish chambermald sketch, in which they have been seen many times at the Empire Theater here. As Mr. Hammerstein has lost thousands of dollars on his new theaters, his judgment in the matter of the Russell brothers' genius should not be accepted as

Matt Flynn, who for fifteen years was owner of a burlesque show called the "Big Sensation," and who died in Chicago after women, each of whom says she is Flynn's legal widow, are contesting for the estate. They are Mile. Zitella, of Brooklyn, formerly Flynn's leading woman; Phyllis Court-Lucy Rice, of New York. Flynn was | has a home already furnished for his bride. buried in Troy, N. Y., and immediately after the funeral Mile. Zitella and Miss Courtney engaged lawyers for the contest over the estate. Flynn's company played at the Empire Theater in this city every season after the house was opened.

PERSONAL AND SOCIETY.

Miss Emily L. Upfold is visiting friends in Lafavette. Miss Mary Van Winkle is visiting friends

Miss Alice Welborn is visiting relatives in Princeton, Ind.

in Louisville.

Mr. and Mrs. Charles Greenstreet are in Chicago for a few days. Mr. and Mrs. John S. Duncan will leave

soon for a trip to Wyoming. Miss Margaret Foster left yesterday to

visit friends in Columbus, O. Miss Sara Foster will leave next month to visit friends in Wichita, Kan.

Miss Adelaide Goetz, who has been visiting friends in Chicago, is home again. Miss Helen Messenger, of Highland Park, Chicago, is visiting Miss Ruth McCulloch.

Mr. and Mrs. J. M. Cleverand will leave in August for Buffalo and Eastern resorts. Miss Bess McCrea left yesterday to visit Miss Constance Sommerville in Menominee

Mrs. Isaac Rice, of Lafayette, is visiting Rabbi and Mrs. Messing on North Delaware street. Mrs. C. J. Buchanan will leave Thursday

for Lake Tippecanoe, where she will spend the summer.

Mrs. Fannie Tilly and granddaughter, Millie Keller, have gone to Minnesota for the summer.

Mrs. Russell Buchanan is in Grand Rapids, Mich., and will spend the month with relatives. Mrs. Wm. R. Cooper left yesterday for

cisco wedding. Miss Clara Hawkins will leave next week Elizabeth Harris.

for Atlanta, Ga., to visit a schoolmate, Miss. Miss Adelaide Hickox, of Riverside, Ill.

is visiting Mrs. Carlton B. McCulloch on North Pennsylvania street.

Miss Clara Estelle Hunter, of Irvington, has issued invitations for a dance at the Propylaeum to-morrow night.

Mr. and Mrs. Walter C. Marmon will spend the summer at Lake Maxinkuckee, where they have taken a cottage.

Mr. and Mrs. John G. McCullough will Mr. and Mrs. John G. McCullough will Southwork, Wednesday, for Europe, to leave July 1 for a trip to Buffalo, New spend the summer. Mr. Cummings, of York, Newport and Atlantic City. Miss Josephine Robinson will entertain informally this morning for Mrs. Rose

Baldwin Lewis, of Washington, D. C. Mrs. Merle N. A. Walker has gone to Attica to visit her grandmother, Mrs. A. R. Hays. She will return on Sunday. Mr. and Mrs. A. B. Gates will leave the latter part of the week for Lake Maxinkuckee, where they will spend the summer. Prof. and Mrs. M. E. Crowell, of Frank-Ho, are visiting Mrs. Crowell's parents, Mr. and Mrs. Edger J. Foster, on Park

President and Mrs. Scot Butler gave

tertained Mr. and Mrs. Crowell at dinner last night in their apartments at the Sur-

Miss Helen Lemon, who graduated from the Indiana-Boston School of Dramatic Art. will leave to-day for her home near Zions-Mr. Louis Hollweg has returned from abroad. Mrs. Hollweg and daughters are

in Berlin and will remain abroad for the Mr. and Mrs. Charles A. Layman will give a small company to-morrow evening for their guest, Mrs. Thiebaud, of Spring-

Mrs. Norbert Landgraf and son Ferd will leave about the middle of July for Buffalo and New York. Mr. Landgraf will spend the summer in Europe. Mr. and Mrs. Frank M. Fauvre and family will leave early in August for Buffalo

and New York and later sail for Europe,

to be abroad about a year. Mr. and Mrs. Charles Finley Smith and Miss Maude Smith will go East the 1st of July. Mrs. Smith and daughter will spend two months at Lake Placid, in the Adirondacks, in company with New York friends. Mrs. George H. Chapman, of Eau Claire, Wis., is visiting Mrs. A. D. Thomas in Woodruff Place. Mrs. Thomas and family and Mrs. Chapman will leave June 27 for Harbor Point, where Mrs. Thomas has a

Mr. and Mrs. Otto Lieber entertained at cards Monday evening, the occasion being their crystal wedding anniversary. There were thirty-five guests, and among them Mrs. Lieber's sister, Miss Pfaff, of Colum-

Mrs. Jenkins, of Boston, will be entertained at luncheon to-day by Miss Somerville, and this evening Mrs. Thomas Dean tertain at luncheon for her on Saturday. \$17,500 and in the evening Miss Greene will give a small company for her.

Mrs. John H. Holliday entertained intry home, Reka Dom, in honor of the Misses Crane, of New York, guests of Mrs. John S. Tarkington. Mrs. Ovid Butler Jameson read her story, "The Play Actors," which she read before the last meeting of the Woman's Club.

The Minuet Club, with Fred E. Victor president, S. E. Hinshaw vice president, Alex. White secretary, Sidney Elstun treasurer and Frank Phares chairman of the board of directors, will give an informal dance and boat party at Riverside Park Friday evening. The Helen Gould has been chartered for the occasion. Several guests from out of town will be in attendance. The club numbers over sixty

Miss Josephine Robinson gave an inormal morning company yesterday in ionor of Mrs. Rose Baldwin Lewis, of C who is the guest of was assisted by her mother and sisters and Mrs. Frank M. Baldwin, Mrs. Edwin Henry Forrey, Mrs. Franklin W. Hays. Miss Ada Comingor, Miss Tompkins, of Fishkill-on-the-Hudson, and Miss Claire Shover. The pretty rooms were fragrant with June flowers. Among the guests was Miss Susan M. Ketcham, of New York. Mrs. Melvin Otto Ryker was the hostess for a tea yesterday afternoon, entertainng in honor of her cousin, Mrs. Herbert Jenkins, of Boston. Mrs. Ryker was assisted in receiving by her mother, Mrs. J. B. Warne, and Miss Vivian Green, and n the hospitalities by Mrs. Eugene V. Minor, Mrs. Frederick Carter, Mrs. Ferdinand Wingate, Mrs. Clarence Nichols, Mrs. E. P. Fulmer, Mrs. Courtney Haver, Miss Inez Ryker, Miss Shover and Miss Marcaret Shover, Miss Sue Walker, Miss Bertha Walker and the Misses Eolene and Edna Fulmer served the punch. The rooms were pretty with a profusion of June climb-

ers and pink carnations, and in the dining room sweet scented honeysuckle adorned the table and walls. FOR MISSES FRANK AND FAUVRE night at the Propylaeum by Mr. and Mrs. but when the department arrived it was ick W. Frank for their daughters, Miss Lillian Fauvre and Miss Edna Frank, both graduates from the Shortridge High School. Hart's full orchestra played the most popular and latest dance music. Both the young | cial condition of the organization and a dainty white, made fluffy with lace and ruffles. The assembly hall of the Propylaeum, digent members of the Order of Elks will Mrs. Langtry would like to play in this | platform in the assembly hall had a border country next season, but the theatrical of the palms, and there were numerous sofa pillows and rugs and cozy settees

a part of the decoration. There was a pyramid of palms in the center of the room, out of which was a shower of yellow flowers. The lights in the room were shaded with yellow shades, and the mantel was banked with a mass of foliage. The hostesses were assisted during the evening by Mr. and Mrs. Ray Eldon Scott, Miss El friede Scholl, Miss Edna Frank and Mr and Mrs. R. G. Harseim. guests were Miss Peake, of Kansas City Miss Simington, of Cincinnati, with Miss Edna Stevenson: Miss Stearns, of Pittsburg, with Miss Hazel Backus; Miss Messenger, of Highland Park, Chicago, with Miss Ruth McCulloch; Miss Gertrude Frank, of Marion, with Miss Frank, and

Miss Butz, of Pennsylvania, with Miss PORTER-GREGG

Special to the Indianapolis Journal. FLORA, Ind., June 18 .- Dr. William H evening at 6 o'clock, at the Presbyterian parsonage in Delphi, the Rev. Mr. Omelvena officiating. The young couple re Flynn drank the champagne, and turned at once to Flora, where the doctor

Irvington.

Miss Anne Butler will leave, Friday, for Sylvan Beach, Mich., to spend the summer. Miss Margaret Stauffer, of Terre Haute, will be the guest of Miss Essie Hunter to-

Miss Kate Hege, of Columbus, Ind., is the guest of Miss Charlotte Powell this week. Miss Retta Barnhill left, yesterday, to spend a week with her brother in Craw-

fordsville. Mrs. John L. Campbell and daughter Le nora, of Cincinnati, are the guests of Mr. and Mrs. Jack Campbell.

Mr. and Mrs. Frank Hummel have arrived from Muncie to spend the summer in their home on Oak avenue. Miss Clara McIntyre left, yesterday, for

her home, in Lexington, Ky., after spending the winter in Irvington. Miss Mayme McCollough and Miss Mae Brevoort, of Columbus, will be the guests of fraternity friends to-morrow. Miss Florence Moore will entertain about twenty young ladies, Thursday, at dinner, in honer of Miss Florence Fetter, of Peru,

Prof. and Mrs. J. D. Forrest will leave to-morrow for New York, whence they will

sail for Europe to spend the summer trav-Miss Charlotte Powell will give a linen shower, Friday afternoon, at her home, in honor of Miss Juliet Brown, whose mar-

riage to Mr. C. B. Coleman will occur next Miss Harriet Ritter will give a garden party, this morning, at her home on Ritter avenue, in honor of Mrs. J. H. Sloan, of Santa Fe. N. M., and Mrs. Clifton Sloan, of

Kansas City. Mr. and Mrs. Adolph Schmuck will arrive from Chicago Friday, to be the guests of Mr. and Mrs. Robert Browning for a Madison, Ind., to attend the Horuff-Fran- | few days before going to their new home Misses Carrie and Alice Butler will enter-

tain, this afternoon, for their guests. Miss Blanche Turkinkoph, of Connersville, Miss Sproule, of Cincinnati. The young ladies of the Kappa Kappa Gamma fraternity of Butler College will

give a large reception and dance to-morrow evening, at the Propylacum, in honor of Miss Marie Martin, who graduates this year. Mr. Will D. Howe left, Monday evening, for New York, whence he will sail by the

sor Howe, accompanied him, returning to The Sigma Chl boys at Butler will give heir annual picule and dance to-day at the | board has received about two hundred ap-Country Club. The party will go out in tallyhos this afternoon. Luncheon will be | dergo the examination. About the same served at 6 o'clock and the evening spent | number stood the last examination. in dancing. The members of the fraternity are Charles Barnett, Will Long, Chester Hadley, Scot Hunter, Edwin Moore, Theodore Nance, Hunter Richey, Bert Hollingsworth and Ovid Butler.

Cambridge, who has been visiting Profes-

avenue. Mr. and Mrs. R. O. Hawkins en- their annual reception last night, in honor PANY, 129 East Market street. Tel. 2005.

of the senior class, at their home on Downey avenue. Mr. and Mrs. Butler were assisted in receiving by the faculty. The house was decorated in green and red, the class colors, and lighted by green and red candles. The color was carried out in the refreshments. At the punch bowl were Miss Ethel Wright, Miss Genevieve Hall and Miss Cordelia Butler. The rooms were made fragrant by clumps of mixed flowers.

CITY NEWS ITEMS.

A \$10 fire was caused by grease boiling over in the bakery of Henry Mottz, 721 Howard street, last night. William F. Cramer, sixty-four years old, and Elizabeth Mitchell, sixty, yesterday procured license to marry. Alexander Chambers yesterday started on pleasure and observation trip to Alaska. He will likely be gone all summer. The funeral of David K. Bruce will take place this afternoon at 2 o'clock from the

residence, 1117 South State avenue. Eli Perkins, employed at the Beveridge Paper Company, had one of his hands severely injured in the machinery yesterday. ness College, in a chartered street car, vis-Fairview Park and Irvington last night, and had an enjoyable time.

Addison C. Harris, ex-United States minister to Austria-Hungary, has accepted an invitation to deliver an oration at Rockport, Ind., on the Fourth of July. Attorney General Taylor went to Bloomington, Ind., yesterday to attend the annual reunion of the class of 1870, Indiana University, of which he is an active mem-

A deed was filed yesterday conveying the brick business block of Henry W. Lawwill entertain her card club in honor of rence, at 235 South Meridian street, to Dr. Mrs. Jenkins. The Misses Walker will en- John M. Lochhead. The consideration was

> Russell B. Harrison has gone to Omaha, Neb., where he will probably remain dur-Henry Harrison. State Geologist Blatchley and his two deputies will start soon for southern In-

diana, where they will collect data for the preparation of a comprehensive geological map of the State. The Board of Health yesterday raised the smallpox quarantine at No. 948 West Washington street. Helen and James Drake, who were attacked by the disease, have

completed recovered. C. G. Hadley, an Elwood, Ind., contractor, | ing dragged from the saloon suffered a stroke of paralysis during a visit in this city Sunday, and is being | held a post-mortem examination and found treated at the Deaconess Hospital. His that Vickers had d'ed from a blood clot on daughters. Mrs. Charles Nuzum and Miss the brain. The coroner's verdict held that Pearl Hadley, are with him.

will speak at the Harley Gibbs Settlement, kicks and the blood clot. For this reason No. 909 West Washington street, at the Plew was not indicted for murder or manregular services this evening, at o'clock. All friends of religious and social settlement work are cordially invited to at-

John Booker, a colored sewer digger, living at 103 Oak street, was severely injured while working in a sewer at Wabash and Noble streets yesterday by the supports giving away. The sewer gang rescued him and he was sent to the City Hos-

Quartermaster General Foster sent out notices yesterday to a variety of dealers in supplies, asking them to send in bids for the articles that will be needed by the Indiana National Guard during its annual The bids must be sent in by June 22. John S. Baggett, 435 West Pearl street,

went to the City Dispensary last night

with the end of the fore finger of his left

hand nearly severed. He said he had been feeding a hay cutter and tried to stop the cogs on the machine from running with his hands. Dr. Jacobs dressed his wound. An automatic sprinkler and fire alarm in the Indianapolis Saddlery Company's factory, on South Meridian street, turned in fire alarm at 4:10 yesterday afternoon, learned the apparatus had accidentally turned in the alarm and there was no fire.

Assistant Adjutant General Smock, of the Indiana G. A. R., has received copies of the journal containing all the proceedings of the recent state encampment and a roster of the membership in Indiana. The journal also contains a report of the financomplete history of the Grand Army of The selection of a national home for in-

be decided at a meeting of the National Home committee in Columbus, O., to-mor-At this meeting the committee, of which Joseph T. Fanning, of this city, is a member, will prepare a report for submission to the Grand Lodge at its meeting was abandoned yesterday and in its place was substituted John F. Wild & Co. Mr.

Eddy Campbell, formerly senior member of the figures 1901 in red. The class colors, red | the firm, sold out his interest recently and and yellow, were also evident on the plat- | retired. The intention was to continue the the Comedy, the Globe, the Garrick and form and in the refreshment room-the old firm name until the close of the year, east parlor-where yellow flowers formed but business reasons made the earlier change advisable. The Sunday school of Zion's Evangelical

Lutheran Church will give a picnic tomorrow in the park at Greenwood belonging to the Indianapolis, Greenwood & Franklin Electric Company. Officials of the school purchased 1,000 tickets yesterday from the interurban company, which is taken to indicate that a large crowd is expected at the picnic. Senator Fairbanks will preside at the annual graduating exercises of the Indianpolis College of Law, which will be held

Friday evening of this week, in the college auditorium. Rev. T. J. Villers, pastor of the First Baptist Church, will deliver the invocation. John W. Kern will deliver the annual address and Judge Wiley, of the Appellate Court, will confer the degrees. neer, who deserted the army at Fort Sherin 1898, yesterday gave himself up at the local recruiting station, and will be sent back to his post for court-martial. Murphy deserted a few months after enlisting, was apprehended and sentenced to two years' imprisonment by court-martial. The sentence was reduced to eighteen months. Last May Murphy escaped, when having but six months to serve. The prisoner is being guarded by recruits, but will be taken back to Fort Sheridan by experienced soldiers.

The Butler Commencement.

The forty-seventh commencement exercises of Butler College will be held to-morrow morning, at 10 o'clock, in the college chapel. Ames, of Chicago University. The following will receive diplomas: Martin Amos, May Cunningham, Virginia McComb, Pierre Van Sickle, Carl McGaughey, Marie Martin, Bertha Little, Grace Clifford and Ernest Talbert. 'the musical department will give a re cital this morning, at 10 o'clock. The following programme will be given; "Moment Musical".....Simonetti

Jeannette Weser. 'Norwegian Danse," Op. 35, No. 2, 'To Spring.' 'Carnival' Jeannette Wren Lewis. 'Sweet and Low" ...

'In May Time" Dudley BuckClarence Forsyth The Lass with the Delicate Air" A. L.Nevin Georgia Galvin. 'Valse Carnavalesque' (for two planos)

Chaminade Mrs. Clifford and Evelyn Jeffries.Luigi Musso Miss Weser. 'Davidsbundler Danse".....Schumann 'Rigoletto" Verdi-Liszt

Miss Lewis. 'Elsa's Dream." from "Lohengrin" Miss Galvin.

Many Girls Return to Work.

turned on a promise that they would re-Caroline Wood, of Muncie, and Miss Madge | ceive the advance of 1 cent on the hour, for which they struck. They are not employed by the company, but by the pressmen, and the company has promised to persuade the pressmen to make the advance. Should the increase be granted a similar advance will be made to the pressmen.

Embalming Board to Meet.

Harry D. Tutewiler, secretary of the State Board of Embalmers, announced yesmeeting July 1, 2 and 2. The examination of applicants for embalmers' licenses will be held July 3. Mr. Tutewiler said the plications from people who want to un-

Would you trust to luck and not insure our home against fire? Of course not. Why trust to luck in regard to the title to our real estate? Insure it, too. INDIANA TITLE GUARANTY AND LOAN COM- rence C. C. Transferred to Appellate Court.

JOHN PLEW FOUND GUILTY

THE JURY DELIBERATED ON THE CASE ONE HOUR AND A HALF.

Sentence-Col. Streight's Estate-Other Court Cases.

John Plew, charged with assault and battery with intent to kill Charles Vickers, who was found-dead in the rear of Wachstetter's saloon on West Washington street four weeks ago last Sunday, was found guilty by the Criminal Court jury yester-Seventy students of the Indianapolis Busi- | day and sentenced to from two to fourteen years in the penitentiary. Vickers entered the saloon after 11 o'clock on the Saturday night before he was found dead and had a fight with Plew. Wachstetter and a porter named Coleman were the principal witnesses yesterday and testified regarding the brutal fight.

It is said that when Vickers entered the saloon he inquired if there were any prize fighters in the room and wound up his conversation by striking Plew on the chin with his fist. The witnesses testified that Vickers followed up this blow with another, which struck Plew on the nose, and then Plew struck Vickers, knocking him down. ing the summer. He went to Omaha on | As Vickers was attempting to get on his formally yesterday afternoon at her coun- account of the illness of his son, William | feet it is said that Plew kicked him several times and then he and the porter dragged the dazed man into the yard back of the The testimony was to the effect that Plew stayed behind the saloon five minutes after

> saloon was closed Wachstetter and Coleman left the building by the front way and Plew by the back way. The next morning Vickers was found dead in the back yard His body was still warm, but his position indicated that he had not moved after be-Coroner Brayton and Dr. Frank B. Winn there might not have been any relationship Miss Versa Hyman, the girl evangelist, between the blows struck by Plew and his laughter. Plew's defense was that he was

the porter returned, and that when the

it returned a verdict of guilty. COLONEL STREIGHT'S ESTATE.

A Settlement Made by Paying Certain

engaged in a fight, but did not intend to

seriously injure Vickers. The trial began

in the morning and the jury retired at 4:30

in the afternoon. An hour and a half later

Sum to John Streight's Wife. B. Frank Schmid, guardian of John Streight, insane, yesterday filed a petition in the probate department to convey the camp of instruction the week of July 20-27. | remainder of the estate left by the ward's Streight, John Streight's wife. In settling and release all further claim on the prop erty. Of this amount \$1,799.94 has already been advanced. Schmid represented that Mrs. Maude Streight wanted to purchase a home for \$3,050 that was incumbered by a \$1,000 mortgage, and was willing to assume the incumbrance. He asks the court for permission to pay over the balance, \$2,200, to Mrs. Streight in order that she may make the purchase. The petition was granted by Judge Walker, which settles all l future claims against the estate. The petition set out that John Streight is incurably

Refused to Transfer the Case. The Supreme Court yesterday refused to rder the transfer of the case of the Rushville Co-operative Telephone Company against Irvin, decided recently by the Apservice on the ground that the company was in debt to him for a similar amount. The company shut off telephone service from him and he brought suit to compel it to reconnect his telephone. The Appellate to have the case transferred to the Supreme Court, under the law of 1901, but the latter tribunal decided, yesterday, that the new law is not retroactive.

The Appeal Dismissed. Edward Leach, convicted of keeping a gambling house in Sullivan, Ind., dismissed his appeal in the Appellate Court, yesterappeal on the ground that it was filed after the taking effect of the law shutting off appeals in misdemeanor cases. A similar motion has been made in the case of Nichols, the policy man, convicted in Judge Alford's court, in this city, but the court has not announced its decision on the mo-

Compromise May Act as Bar. head laundry and building, at North street and Massachusetts avenue, three years ago, which says the plaintiff is precluded from bringing further suit for damages as she compromised a former suit against

the Consumers' Gas Company for \$2,000.

Company Sued for \$2,000. Walter Craig, by Robert Craig, his next friend, yesterday filed suit against the Indianapolis, Greenwood & Franklin Railroad Company for \$2,000 damages. The plaintiff is a boy ten years old and while playing with other boys on Shelby street was knocked down by a car and injured.

\$15,000 for Personal Injuries.

Belle Blake yesterday brought was riding on one of the company's cars it struck a wagon near Twentieth street and she was thrown to the floor, sustain-

ing permanent injuries.

In the Probate Court.

The will of Talitha Overman, probated yesterday, leaves all of her property to her husband, John C. Overman Theresa Heinz was yesterday appointed

executrix of the estate of Andreas Heinz. THE COURT RECORD.

SUPREME COURT. 19581. Currier vs. State. Elkhart C. Affirmed. Dowling, J. 1. A wrongful appropriation and concealment of property by one person, in the absence of its owners, and without their consent, and the refusal of the taker to return it except upon the payment by the owners of a fictitious and fraudulent claim, constitute larceny.

2. The mere delivery of property to an other for a special purpose vests in the erson receiving it only the temporary charge or custody; the possession of the property remains in the owner, and conversion of it is larceny. 3. It is not a defense to a charge of larceny that the defendant had "an impres-

sion" that he had a claim to the property

4. Where the taking of property in the first instance is a trespass, the subsequent appropriation of it is a felony, To make the misconduct of counsel for the State in his closing argument to the jury available the defendant must object to the statements at the time they are made and move to set aside the submission and to withdraw the case from the jury. 6. In stating to the jury the statutory definition of grand larceny the court is not required to say what the penalty for the offense is. 19626, Leach vs. State. Sullivan C.

Motion to dismiss sustained. Rushville, etc., Telephone Company vs. Irvin. Rush C. C. Application to transfer cause denied. 19439. Young vs. Stevens. Wayne C. Transferred to Appellate Court. 1944. C. & E. Rallroad Company vs. Lee. Wells C. C. Transferred to Appellate Court. 19446. Holliday vs. Miller. Clay C. C. Transferred to Appellate Court. 19450. Van Horn vs. Mercer. Allen C. C. Transferred to Appellate Court, 19453. Salem, etc., Co. vs. Hobbs. Law-

Wadsworth. Elkhart C. C. Transferred to Appellate Court. 19455. Tucker vs. White, Johnson C. C. Transferred to Appellate Court. 19570. Hewitt vs. Mills. Whitley C. C. Transferred to Appellate Court. 19580. Monteith vs. Kokomo, etc., Howard S. C. Transferred to Appellate Court.

Flynn. Marion S. C. Transferred to Appellate Court. -Minutes.-19575. John Gross vs. Board of Commissioners of Whitley county. Wabash C. C. Appellee's petition for extension of time to file brief. 19595. Alfred Guthrie vs. Adda T. Howland et al. Martin C. C. Appellees' brief (8.) 19646. Sanders Hubbard vs. Eph. L. Goss

19615. Ludwig vs. Cory. Hancock C.

19652. Old Wayne, etc., Association vs.

Transferred to Appellate Court.

Railway Company et al. vs. Marilda A. Martin, Administratrix. Greene C. C. Appellants' reply brief (8.) -New Case.-19676. Samuel A. Wray vs. James W. Fry et al. Hancock C. C. Record. As-

et al. Morgan C. C. Appellant's brief (8.)

19454. Chicago, Indianapolis & Louisville

signment of errors. In term. Bond. -Oral Arguments.-Demarest vs. Holdeman. Friday 19317. Brown et al. vs. Clow et al. Fri-

APPELLATE COURT.

day, June 28.

3869. Martin vs. Board of Commissioners Montgomery C. C. Affirmed. Robinson, J. 1. A person seeking to enforce a claim against a county for services must either show a valid contract for such services of a statute providing for such services and directing compensation. It is not enough to simply show the beneficial character of Court decided against him and he sought the services. And if a contract is relied upon, it must be made to appear that the officer making it had the authority to act. 2. A person dealing with the agent of municipality must take notice of the limit of his powers and must know whether the authority assumed is within the statute. 3. Section 6718, Burns, 1894, makes the board of commissioners of each county a board of health ex officio for the county and makes it the duty of the board "t protect the public health by the removal of causes of disease, when known, and in all cases to take prompt action to arrest the spread of contagious diseases, to abate and remove nuisances dangerous to the publihealth and perform such other duties as may from time to time be required of them | Circuit Court. by the State Board of Health, pertaining to the health of the people. They shall, an nually, at their first meeting in December, elect a secretary, who shall be the executive officer of the board and who shall serve as such health officer for one year from the ist of January next ensuing his election He shall receive such compensation from the town, city or county treasury, respect ively, as the board electing him may deter Under this statute the County Board of Health has authority to protect the public health, and such expenses as are authorized by the board for the public benefit should be borne by the public. 4. The secretary of the County Board of Health has no authority to incur an indebt

edness for which the county may be held in the absence of some action by the board. 3858. Lahr vs. Ulmer. Knox C. C. Reversed. Comstock, J. 1. If a party goes to trial without a rul ing on his demurrer, it is but a waiver of a lence of the mania for self-destruction. He right he might have insisted upon. 2. It does not necessarily follow from the fact that no memorandum of a levy aplevy was made.

notice of the sale of real estate, it is sufand will be sold for the satisfaction of the judgment. 4. A person is bound to take notice of judgment against him and that his property is advertised for sale to satisfy an execution issue thereon. 5. The right of exemption is a personal privilege and may be waived.

Where a sheriff gives the statutory

6. Under Section 2642, Burns, 1894, the husband of a deceased wife has ninety days after the probate of the wife's will to accept its provisions. 3592. Stanton vs. State. Marion Criminal Court. Affirmed. Wiley, P. J. Section 2090, Burns, 1894, specifies three distinct acts, either of which, if properly ment good against a motion to quash.

3839. City of Greensburg vs. Zoller. De catur C. C. Reversed, Roby, J. 1. The statute calls for a conclusion of law upon the special finding of facts made, be commended. 2. Section 4293, Burns, 1894, gives the

tribunal to determine when and what property is benefited by a sewer improvement, ally for fraud or corruption. 4. Whether a sewer is local or general

tion to maintain streets. opinion. Per curiam. missed. 3417. Barnhart vs. Goldstein. Jay C. Petition for rehearing overruled. -Minutes.-

3735. Board of Commissioners, etc., vs.

5. The right to construct sewers is inci-

Gabriel Godfrey. Miami C. C. Appellee's petition for rehearing and brief (3.) Appellee's petition for extension of time to file additional copies of brief, etc. 3957. Alonzo L. Jaqua et al. vs. Susie R. Jaqua. Jay C. C. Appellants' dismissal. May 20 term. Appeal dismissed. 3647. Thomas O. McCoy vs. Kokomo Railway and Light Company. Howard S. C. Appellee's brief (8.)

SUPERIOR COURT. Room 1-John L. McMaster, Judge. German Fire Insurnce Company vs. John 19456. Indiana Railway Company vs. Harry E. Hamilton vs. Carl W. Menden- like hers. That is the suggestion, and the must come in God's appointed time.

hall et al.; mechanic's lien. On trial by

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NATIONAL BISCUIT COMPANY

Gerhart Manufacturing Company vs Werner. On trial by court Room 3-Vinson Carter, Judge. Emma J. Young vs. Edward K. Young; appeal. Finding and judgment against de-fendant Edward K. Young for \$30.25 and

Room 2-James M. Leathers, Judge.

Christian Koepper vs. Susie A. Finitzer; account. Taken under advisement. Mary A. Willis vs. Enoch Herod et al. account. Dismissed by plaintiff. Judgment against plaintiff for costs. Thomas Crittenden vs. Curtis M. McCom mack et al.; mechanic's lien. Dismissed by plaintiff. Judgment against plaintiff for

Emma T. Jorr vs. William Mack; appea

Cause settled. Judgment against plaintiff fer all costs except defendant's witness fees. Judgment against defendant for his witness fees. CIRCUIT COURT.

Evidence heard.

Henry Clay Allen, Judge. Christian Kirkhoff, administrator, vs. Louisa C. E. Cook et al.; to set aside conveyance. Judgment on finding against plaintin for costs. Park Bros., Limited, vs. J. B. McElwaine et al. Dismissed by plaintiff. Judgmen against plaintiff for costs. Charles O. Brinkman vs. Claudia L Brinkman; divorce. Submitted to court.

CRIMINAL COURT. Fremont Alford, Judge. John Plew; assault and battery to kill Motion to quash overruled. Trial by jury. Burr Brady and Fred Smith; enticing female to house of ill fame. Motion to quash sustained. Prosecuting witness out of

Walter Craig, by his next friend, vs. Indianapolis, Greenwood & Franklin Railroad Company; damages. Demand, \$2,000. Superior Court, Room 2. Belle Blake vs. Union Traction Company: damages. Demand, \$15,000. Superior Court, Room 3. William Eaglesfield Company vs. W. J. Walker et al.; mechanic's lien. Superior Court, Room Charles T. Whitsett vs. Nathaniel Field Morrow; on account. Superior Court,

NEW SUITS FILED.

Robinson et al.; petition to sell real estate.

Josephine Robinson, trustee, vs. Murray

THREE CAUSES OF SUICIDE. They Are Civilization, Education and

Communication, Dr. Shrady Says. Dr. George F. Shrady holds that civilization, education and communication are the cides. He further holds that the months of May, June and July are essentially the "suicide months" of the year. The fact that in the past three months there have teen in this city 117 suicides leads Dr. Shrady to scientifically discuss the preva-

"The study of suicide, its causes, its pears upon the return of the sheriff that no scientific aspect, the reasons for it, the study of the characteristics of those who take their own lives-in other words, the ficient notice that it has been levied upon investigation of the inner details of suicide-have long engaged the attention and interest of anthropologists, sociologists and physicians. It has always appealed strongly to me as a field wherein much valuable research still remains to be made, although there are scores of scientists who have given up all their time and brains to the

subject.

"While many would suppose that winter, with its distressing cold and its hardships especially in the case of the poor and needy, would yield the greater number of suicides, it is a strange fact that in the spring and summer the number of persons seeking death by their own hands is double charged, will make the affidavit or indict- | what it is in winter. There are three months of the year which are especially notable 2. In an affidavit charging fornication for the number of suicides occurring in the offense need not be defined any more | their terms. They are May, June and July, particularly than in the words of the So, with 117 persons self-destroyed within the last three months, it will be only following facts deduced by scientific investigation to say that there will be many more than 117 in the three months to come. "It has never been adequately determined and brevity of the conclusion of law is to why these three months are so productive of suicides. The heat may have something to do with it, as may the lassitude which owner of land affected by a sewer improve- always comes with the return of spring. ment a right to be heard, and the right to Nevertheless, it is a fact that in May, June be heard carries with it the right to relief. | and July most of the suicides of the year 3. The Common Council is the exclusive | are recorded.

"The study of suicide is intensely interesting. It embraces a close investigation of and its action is subject to review collater- | the human mind, what the mind will do under certain condition in certain people, and how, in other people, it will do something a question which must be decided in the diametrically opposed to its action in still first instance by the Common Council, and other people. It is a study of morbidity, of a decision made is final against a collateral | suggestion, of reception, of impression, of determination. It is also a study of various conditions of life. A man living in one dental to the power of a municipal corpora- state of existence would kill himself if compelled to endure what a man in another 3714. Moore vs. Pittsburg Plate Glass state accepts as his lot in life. Again, Company. Howard S. C. Affirmed. No what would prompt self-destruction in one man would in another cause the man to de-3957. Jaqua vs. Jaqua. Jay C. C. Dis- termine to live on at all hazards. So you will see into what varied, long and winding channels the subject of our suicide takes one who seeks to study it out anthropologically, sociologically or otherwise. "Suicide increases with the increase of civilization. That is a remarkable commentary upon civilization, but it is a just one. There are far more suicides in a large community than in a small one. This expanding miracle from Plymouth Rock is not due to the fact that there are more and Jamestown all the way-aye, even from people there-that is, not because there are the hour, when, from the voiceless and more there to kill themselves-but because intercommunication increases suicide. It sight of the inspired sailor. Let us resolve offers more suggestion to those inclined to to crown the miracle of our past with the

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CHAS. MUELLERSCHOEN weak woman avails herself of it-ergo, an other suicide. "Education, many authoritative investigators contend, is another strong agent in the increased number of suicides. There is no doubt that this is in great measure true. Education reveals to the lower and the poorer classes the superior condition

those more favored with the goods of this

world, and it breeds despondency, dejection,

bitterness and hopelessness. "Heredity is accountable for a large per centage of suicides. The tendency is not always manifested in the generation immediately following that of the suicide. It frequently skips a generation. Of the 117 suicides since March 6, eightythree were men and thirty-four women. The women, for the most part, used carbolic acid in taking their lives, although one of them shot herself. The men mainly used the revolver, knife or noose Thirty-two German men killed themselves and sixteen German women. Of native

Americans there were twenty-one men and eight women, eight Irishmen, five Irish women, five Frenchmen, five French women, four Austrian men, two Swedish women, and one man of nationality unknown.

The American Idea.

Henry W. Grady, Dec. 12, 1889. We are Americans-and we fight for human liberty. The uplifting force of the American idea is under every throne on earth. France, Brazil-these are our vic-To redeem the earth from kingcraft and oppression-this is our mission and we shall not fail. God has sown in our soil the seed of his millennial harvest, and he will not lay the sickle to the ripening erop until his full and perfect day has come. Our history has been a constant and trackless ocean, a new world rose to the self-destruction. And suggestion is one of spectacle or a republic compact, united, inthe most potent factors in suicide. It is dissoluble in the bonds of love-loving from suggestion that makes a man turn to his the lakes to the gulf-the wounds of war revolver, a woman to the phial of carbolic healed in every heart as on every hillacid. She has just read of some unfortu- serene and resplendent at the summit of nate woman escaping the cares and ills of human achievement and earthly glory-P. Leyendecker et al.; foreclosure. On trial life by swallowing a few pence worth of blazing out the path and making clear the acid. This woman's case was something way up which all the nations of the cart